

**22-UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Counsel to the Debtor and Debtor in Possession

In Re:
ASSUNCAO BROS., INC.,
Debtor.

Chapter 11 (Subchapter V)

Case No. 22-16159-CMG

Judge: Hon. Christine M. Gravelle

Hearing Date: November 8, 2022

Hearing Time: 10:00 a.m.

**NOTICE OF DEBTOR'S MOTION FOR ENTRY OF AN ORDER PURSUANT TO
11 U.S.C. § 1189(b) TO EXTEND TIME PERIOD TO FILE CHAPTER 11 PLAN**

PLEASE TAKE NOTICE that on November 8, 2022, at 10:00 a.m., or soon as counsel may be heard, Assuncao Bros., Inc. (the “Debtor”), the debtor and debtor-in-possession in the above-captioned chapter 11, subchapter v case, by and through its counsel, Fox Rothschild LLP, shall move before the Honorable Christine M. Gravelle at the United States Bankruptcy Court for the District of New Jersey, Clarkson S. Fisher Courthouse, 402 East State Street, Trenton, New Jersey 08608, Courtroom #3, for entry of an order pursuant to 11 U.S.C. §§ 1189(b) and 105(a) to extend the time period to file its chapter 11 plan by a period of ninety (90) days through and including January 30, 2023, and for such further relief that the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that in support of its Motion, the Debtor shall rely upon the certification and memorandum of law submitted herewith pursuant to Rule 9013-1(a) of the Local Rules of the United States Bankruptcy Court for the District of New Jersey (the “Local Rules”).

PLEASE TAKE FURTHER NOTICE that in accordance with Local Rule 9013-2, objections, if any, must be filed with the Clerk of the Bankruptcy Court, with copies filed simultaneously served upon the Debtor’s undersigned counsel at: Joseph J. DiPasquale, Esq. (jdpasquale@foxrothschild.com); and Michael R. Herz, Esq. (mherz@foxrothschild.com); 49 Market Street, Morristown, NJ 07960 so as to be received no later than seven (7) days prior to the hearing date set forth above.

PLEASE TAKE FURTHER NOTICE that unless an objection is timely filed and served, this motion shall be deemed uncontested in accordance with Local Rule 9013-3 and the relief sought herein may be granted without a hearing.

Dated: October 18, 2022

Respectfully submitted,

FOX ROTHSCHILD LLP

/s/Michael R. Herz

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